

G.F.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA


UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
Salvador MORALES-Alvares,)
)
Defendant.)
_____)

FILED
'08 MJ 2105
Magistrate Case No. _____ 2008 JUL 11 AM 9:56
CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
COMPLAINT FOR VIOLATION OF
Title 8, U.S.C., Section 1324(a)(2)(B)(iii) - KNH DEPUTY
Bringing in Illegal Aliens
Without Presentation

The undersigned complainant being duly sworn states:

On or about **July 9, 2008**, within the Southern District of California, defendant **Salvador MORALES-Alvares**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Ana Luisa PENA-Zaguilan, Vicente CANO-De Jesus and Maria GARCIA-Jimenez**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs
and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 11th DAY OF
JULY, 2008.


UNITED STATES MAGISTRATE JUDGE

GFW

PROBABLE CAUSE STATEMENT

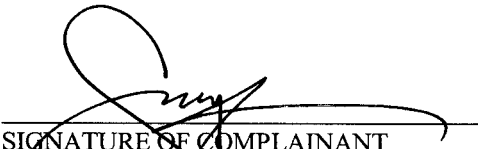
The complaint states that **Ana Luisa PENA-Zaguilan, Vicente CANO-De Jesus and Maria GARCIA-Jimenez** are citizens of a country other than the United States; that said aliens admitted they are deportable; that their testimony is material, that it is impractical to secure their attendance at trial thereof by subpoena and that they are all material witnesses in relation to this criminal charge and should be held or admitted to bail as prescribed in Title 18, United States Code, Section 3144.

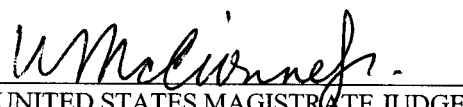
On July 9, 2008 at approximately 9:17 PM, **Salvador MORALES-Alvares (Defendant)** made application for admission into the United States from Mexico via the vehicle primary lanes at the Tecate Port of Entry. Defendant was the driver and sole visible occupant of a 2004 Chevy Silverado Pickup. Upon inspection before a United States Customs and Border Protection (CBP) Officer, Defendant presented a Resident Alien Card bearing the name Jeronimo VILLAREAL-Cambero. Defendant provided two negative customs declarations and stated he was going to Chula Vista, California. The CBP Officer noticed the interior of the vehicle was unusually clean and upon lifting the rear seat, noticed a human hand. The vehicle and its occupants were subsequently escorted to secondary for further inspection.

In secondary, CBP Officers removed an adult female from a non-factory compartment located behind the rear seat back rest. After removal from the compartment, the female signaled officers to check the rear of the vehicle. Upon further inspection, an adult male and adult female were found in an undercarriage compartment located under the bed of the truck. CBP Officers lifted the bed liner in order to expose a non-factory access panel which allowed the two concealed aliens to exit the bed of the truck. The three concealed aliens were determined to be citizens of Mexico without legal documents to enter the United States and are now identified as **Ana Luisa PENA-Zaguilan (MW1), Vicente CANO-De Jesus (MW2) and Maria GARCIA-Jimenez (MW3)**.

During a videotaped interview, Defendant was advised of his Miranda Rights. Defendant acknowledged his rights and elected to answer questions without an attorney present. Defendant admitted knowledge of the concealed aliens. Defendant admitted he was smuggling the aliens in exchange for a \$2300.00 USD discount from his own smuggling fee of \$3,800.00 USD.

Separate videotaped interviews were conducted with all three material witnesses. All three admitted to being citizens of Mexico without legal documents to enter or reside in the United States. MW1 and MW3 stated they were to pay smuggling fees of \$3,500 USD and \$2,000 USD, respectively. MW2 stated a friend made his smuggling arrangements and was to pay an unspecified amount of money. All three Material Witnesses stated they were going to California to seek employment.


 SIGNATURE OF COMPLAINANT
 Sara Esparagoza, United States Customs
 and Border Protection Enforcement Officer


 UNITED STATES MAGISTRATE JUDGE
 7/11/08, 0942 hrs